

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

NUBIA NATIONAL TRUST BANK,
Plaintiffs,
v.

Case No. 2:24-cv-00487-APG-EJY

HOA COLLECTIONS LLC, SPRINGS AT
ELDORADO II HOMEOWNERS
ASSOCIATION,

Defendants.

REPORT AND RECOMMENDATION

This matter commenced when Nubia National Trust Bank (“Nubia National”), proceeding *pro se*, filed a Complaint on March 12, 2024. ECF No. 1. On March 13, 2024, the Court issued an Order explaining that “an entity like Nubia National Trust Bank cannot appear in this case without representation by an attorney.” ECF No. 7. Nubia National was given through and including April 15, 2024 to file an appearance through counsel. *Id.* Instead of appearing through counsel, Nubia National filed a Motion to Amend Complaint on April 15, 2024. ECF No. 13. On April 18, 2024, the Court denied the Motion to Amend without prejudice and gave Nubia National one additional opportunity to appear through counsel no later than May 25, 2024. ECF No. 14 at 2. The Court explained that failure to retain and appear through counsel would result in a recommendation to dismiss this action without prejudice. *Id.* As of the date of this Recommendation counsel for Nubia National has not made an appearance or otherwise communicated with the Court.

22 Accordingly, IT IS HEREBY RECOMMENDED that this matter be dismissed without
23 prejudice for failure to comply with the Court's Order.

24 || Dated this 27th day of September, 2024.

Elayna J. Youchah
ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE

NOTICE

Under Local Rule IB 3-2, any objection to this Finding and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).